

Serial No.: 10/759,560

- 5 -

Art Unit: 1723

REMARKS

Claims 1-20 were previously pending in this application. By this amendment, claim 1 has been amended. Specifically in claim 1, the word "a" has been changed to "the" and the phrase "mould having provided therein" has been changed to "mould¹ comprising a base comprising." This amendment is supported in the specification in paragraph 47. No new matter has been added.

Rejections Under 35 U.S.C. §102

The Office Action rejected claims 1, 2, 4, 6, 7, 10-14 and 16-20 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 3,442,002 to Geary et al. (hereinafter Geary).

Geary discloses a method of manufacturing a fluid separation apparatus. In Geary, a plurality of hollow filaments 111 are constrained in groups 110 in a flexible porous sleeve member 112 extending longitudinally. (Geary, col. 3, lines 43-52.) Groups 110 of filaments 111 are encased in one overall elongated flexible porous sleeve member 113. (Geary, col. 3, lines 52-55.) The single large sleeve encased bundle of hollow filaments is positioned in a tubular casing assembly 101, to which a mold unit 905b is bolted to one end. (Geary, col. 21, lines 30-33.) A gasket is positioned between the casing assembly and the mold unit. The mold cavity surrounds the ends of the groups of filaments. Mold unit includes inlet means 908a which communicates with the mold cavity for the supply of the liquid molding material. (Geary, col. 21, lines 44-47.) During rotation of the casing assembly and attached mold, a solidifiable liquid is introduced into the mold cavity. (Geary, col. 21, lines 48-55.)

Geary fails to disclose, teach, or suggest a method for forming at least one opening in a membrane pot comprising, in part, providing a mold comprising a base comprising at least one formation for forming at least one opening in the membrane pot as recited in independent claim 1. Geary is silent as to a mold having any formation for forming at least one opening in a formed membrane pot. Geary discloses a simple mold cavity (in Figure 16) without at least one formation for forming at least one opening in the membrane pot. The Examiner has mischaracterized Geary by asserting that the hollow filaments 111 are a formation in a mold that would form at least one opening in a membrane pot. Because the filaments in Geary do not extend to the base of the mold cavity, the filaments would only provide cavities for the filaments

¹ The use of the word "mould" is a variant of "mold" and is a reflection of the language used in International Patent Application No. PCT/AU97/00855.
780517

Serial No.: 10/759,560

- 6 -

Art Unit: 1723

in the pot, but would not provide openings in the pot. As such, independent claim 1 is not anticipated by Geary. Claims 2, 4, 6, 7, 10-14, and 16-20 depend directly or indirectly from claim 1 and are novel for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Rejections Under 35 U.S.C. §103

Dependent claim 5 is rejected under 35 U.S.C. §102(b) as anticipated by Geary; and in the alternative under 35 U.S.C. §103(a) over Geary in view of U.S. Patent No. 5,531,848, Brinda et al. (hereinafter "Brinda").

As noted, Geary fails to disclose, teach or suggest each and every element of claim 1. As such, dependent claim 5 is not anticipated by Geary as it depends from independent claim 1.

Brinda discloses a method of manufacturing a hollow fiber cartridge by curing a fluid impermeable material with heat. In Brinda, a porous collar 60 is coupled to casing 50 for hollow fibers. The collar must possess a pore size distribution which is effective for ensuring the potting compound 40 will permeate into the pores to create a sealing bond. (Brinda, col. 5, lines 18-30.) However, Brinda fails to disclose, teach, or suggest, a method comprising, in part, providing a mold for potting the membrane end, the mold comprising a base comprising at least one formation for forming at least one opening in the membrane pot. As such, Brinda fails to cure the deficiencies of Geary with regard to claim 1. Claim 5, therefore, as it depends from claim 1, is patentable over the proposed combination of Geary and Brinda and withdrawal of this rejection is respectfully requested.

Dependent claim 15 is rejected under 35 U.S.C. §103(a) as being unpatentable over Geary.

Geary fails to disclose each and every element of dependent claim 5. However, the deficiencies of Geary with respect to claim 15 need not be addressed as Geary fails to disclose, teach, or suggest, each and every limitation of independent claim 1, from which claim 15 depends. As such, claim 15 is patentable over Geary, and withdrawal of this rejection is respectfully requested.

773426.1

Serial No.: 10/759,560

- 7 -

Art Unit: 1723

Allowable Subject Matter

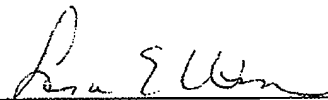
Applicants acknowledge the finding of claims 3, 8, and 9 to be allowable if written in independent form including all limitations of the base claims.

CONCLUSION

In view of the foregoing amendments and remarks, reconsideration is respectfully requested. This application should now be in condition for allowance; a notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicants' attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50/2762.

Respectfully submitted,
Fufang Zha et al., Applicants

By: 
Peter C. Lando, Reg. No. 34,654
Lisa E. Winsor, Reg. No. 44, 405
LOWRIE, LANDO & ANASTASI, LLP
One Main Street
Cambridge, Massachusetts 02142
United States of America
Telephone: 617-395-7000
Facsimile: 617-395-7070

Siemens Docket No.: 2004P87077
LLA Docket No.: M2019-701440
Date: March 27, 2006

780517.1